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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

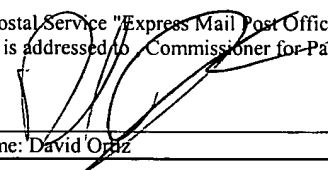
Applicant: Michel FRANZ
Serial No.: 10/789174
Filed: February 26, 2005
Confirmation No.: 9902
Due Date: N/A
Title: STABILISED PHARMACEUTICAL COMPOSITION COMPRISING AN EXTENDED RELEASE NON-STEROIDAL ANTI-INFLAMMATORY AGENT AND AN IMMEDIATE RELEASE PROSTAGLANDIN

Examiner: Thurman K. Page
Group Art Unit: 1615
Docket: 09997.0057USU1
Notice of Allow. N/A
Date:

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495845505 US
Date of Deposit: May 27, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By: 
Name: David Ortiz

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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PATENT TRADEMARK OFFICE

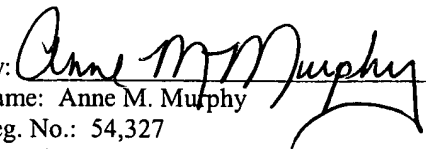
Sir:

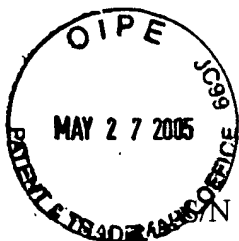
We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 10 Reference(s), Copy of European Search Report
- ☒ Check(s) in the amount of \$130 for Petition to Make Special
- ☒ Petition to Make Special
- ☒ Copy of European Patent Application EP 04447005
- ☒ Annexes to the Petition: 1-7
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300

By: 
Name: Anne M. Murphy
Reg. No.: 54,327
AMM/ncb



N 10/789174

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Michel FRANZ	Examiner:	Thurman K. Page
Serial No.:	10/789174	Group Art Unit:	1615
Filed:	February 26, 2004	Docket No.:	09997.0057USU1
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I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Petition, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By: 

Name: David Ortiz

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Commissioner:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of the European Search Report. At least some of the references were recently cited in an European Search Report mailed August 8, 2004.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

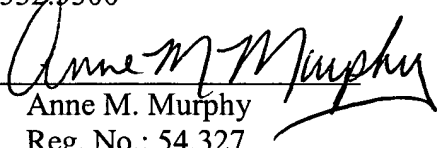


Dated: May 27, 2005

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(612)332-5300

By: _____


Anne M. Murphy
Reg. No.: 54,327

AMM/ncb

FORM 1449 PATENT & TRADEMARK OFFICE MAY 27 2005	INFORMATION DISCLOSURE STATEMENT	
	IN AN APPLICATION	
	(Use several sheets if necessary)	
Docket Number:	09997.0057USU1	Application Number:
Applicant: FRANZ		Group Art Unit: 1614
Filing Date: February 26, 2004		

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,537,582	03-2003	Woolfe et al.			
	6,312,724	11-2001	Odidi et al.			
	5,601,843	02-1997	Gimet et al.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	02/22108	03-2002	WIPO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	European Search Report, August 8, 2004
	United States Pharmacopeia, Official Monographs P. 554 & 556 (2003)
	Quality of Prolonged Release Oral Solid Dosage Forms p. 167-174. (1992)
	Rowe et al. Handbook of Pharmaceutical Excipients, Fourth Edition, Polymethacrylates p. 462-465, Hypromellose Phthalate p. 301-305, Hypromellose p. 297-300. (2003)
	Diclofenac Sodium Extended-Release Tablets, The United States Pharmacopeial Forum Vol 47(1) January-February. (2003) p. 319-320
	Diclofenac Sodium Extended-Release Tablets, Pharmacopeial Forum Vol 30(2), March -April (2004) P. 476-478.
	Novatis Pharmaceuticals - Voltaren. http://pharma.us.novartis.com/products/name/voltarenxr.jsp March 27, 2005. Copyright 2005.

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EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	